

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

VERYL JEFFERSON,)	
)	
Plaintiff,)	8:16CV34
)	
v.)	Order
)	
44TH STREET WESTERN HILLS,)	
LLC, DOUGER’S LOUNGE, and)	
DOES 1-5,)	
)	
Defendants.)	

This matter comes before the court on the unopposed motion ([Filing No. 12](#)) filed by defendant 44th Street Western Hills, LLC (“Western Hills”). On March 30, 2016, Western Hills filed an Unopposed Motion to Extend Deadline to Answer or Respond to Complaint ([Filing No. 8](#)) on behalf of Western Hills and Douger’s Lounge, which motion the court granted (Filing No. 9). However, Western Hills now states it inadvertently filed the motion on behalf of Douger’s Lounge. The plaintiff has not secured service of summons on Douger’s Lounge, and neither Western Hills nor its counsel, Baird Holm, LLP, had authority to make an appearance on Douger’s Lounge’s behalf. Western Hills seeks leave to amend the motion extend ([Filing No. 8](#)) to remove Douger’s Lounge, allow Baird Holm LLP to withdraw as counsel for Douger’s Lounge, and order that Douger’s Lounge has not made an appearance in this case. Plaintiff’s counsel does not oppose this motion. Upon consideration,

IT IS ORDERED:

1. The Unopposed Motion for Leave ([Filing No. 12](#)) is granted.
2. Defendant 44th Street Western Hills, LLC, is granted leave to amend its motion at [Filing No. 8](#). Western Hills shall file its amended motion by May 9, 2016.

3. The Clerk of Court shall terminate the appearance Scott P. Moore of Baird Holm, LLP as counsel for the defendant Douger's Lounge.

4. Douger's Lounge has not made an appearance in this matter.

DATED: May 6, 2016.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**